

**General Docket  
Third Circuit Court of Appeals**

**Court of Appeals Docket #:** 12-4345 **Docketed:** 11/30/2012  
**Nature of Suit:** 2895 Freedom of Information Act of 1974  
American Civil Liberties Union v. FBI  
**Appeal From:** United States District Court for the District of New Jersey  
**Fee Status:** Paid

**Case Type Information:**

- 1) civil
- 2) United States as party
- 3) civil rights

**Originating Court Information:**

**District:** 0312-2 : [2-11-cv-02553](#)

**Trial Judge:** Esther Salas, U.S. District Judge

**Date Filed:** 05/04/2011

**Date Order/Judgment:**  
10/02/2012

**Date Order/Judgment EOD:**  
10/02/2012

**Date NOA Filed:**  
11/27/2012

**Prior Cases:**

None

**Current Cases:**

None

AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY  
Plaintiff - Appellant

Nusrat J. Choudhury, Esq.  
Direct: 212-519-7876  
Email: [nchoudhury@aclu.org](mailto:nchoudhury@aclu.org)  
Fax: 212-549-2654  
[COR NTC Retained]  
American Civil Liberties Union  
125 Broad Street  
18th Floor  
New York, NY 10004

Jeanne LoCicero, Esq.  
Email: [jlocicero@aclu-nj.org](mailto:jlocicero@aclu-nj.org)  
[COR NTC Retained]  
American Civil Liberties Union of New Jersey Foundation  
89 Market Street  
P.O. Box 32159  
Newark, NJ 07102-0000

Hina Shamsi, Esq.  
Direct: 212-284-7321  
Email: [hshamsi@aclu.org](mailto:hshamsi@aclu.org)  
Fax: 212-549-2654  
[COR NTC Retained]  
American Civil Liberties Union  
National Security Project  
125 Broad Street  
18th Floor  
New York, NY 10004

v.

FEDERAL BUREAU OF INVESTIGATION  
Defendant - Appellee

Matthew M. Collette, Esq.  
Direct: 202-514-4214  
Email: [Matthew.Collette@usdoj.gov](mailto:Matthew.Collette@usdoj.gov)  
Fax: 202-514-9405  
[COR NTC Federal government]  
United States Department of Justice  
Civil Division  
Room 7212  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Catherine H. Dorsey, Esq.  
Direct: 202-514-3469  
Email: [catherine.dorsey@usdoj.gov](mailto:catherine.dorsey@usdoj.gov)  
Fax: 202-514-7964  
[COR NTC Federal government]  
United States Department of Justice  
Civil Division  
Room 7236  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Deanna L. Durrett, Esq.  
Email: [deanna.l.durrett@usdoj.gov](mailto:deanna.l.durrett@usdoj.gov)  
[Federal government]

UNITED STATES DEPARTMENT OF JUSTICE  
Defendant - Appellee

United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, N.W.  
Room 7130  
Washington, DC 20530

Matthew M. Collette, Esq.  
Direct: 202-514-4214  
[COR NTC Federal government]  
(see above)

Catherine H. Dorsey, Esq.  
Direct: 202-514-3469  
[COR NTC Federal government]  
(see above)
























Deanna L. Durrett, Esq.  
[Federal government]  
(see above)







AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY,

Appellant

v.

FEDERAL BUREAU OF INVESTIGATION; DEPARTMENT OF JUSTICE

11/30/2012	 29 pg, 366.81 KB	CIVIL CASE DOCKETED. Notice filed by Appellant American Civil Liberties Union of New Jersey in District Court No. 2-11-cv-02553. (TMK)
11/30/2012		RECORD available on District Court CM/ECF. (TMK)
12/14/2012	 1 pg, 45.65 KB	ECF FILER: ENTRY OF APPEARANCE from Jeanne LoCicero on behalf of Appellant(s) American Civil Liberties Union of New Jersey. (JL)
12/14/2012	 2 pg, 15 KB	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellant American Civil Liberties Union of New Jersey, filed. (JL)
12/14/2012	 24 pg, 192.88 KB	ECF FILER: Concise Summary of the Case filed by Appellant American Civil Liberties Union of New Jersey, received. (JL)
12/14/2012	 2 pg, 19.7 KB	ECF FILER: CIVIL INFORMATION STATEMENT on behalf of Appellant American Civil Liberties Union of New Jersey, filed. (JL)
12/14/2012	 1 pg, 142.78 KB	ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellant American Civil Liberties Union of New Jersey advising this court that no transcripts are available. (JL)
12/18/2012	 2 pg, 30.53 KB	FOLLOW UP LETTER to Deanna L. Durrett, Esq. for FBI and DOJ requesting the following document(s): Appearance Form on or before 01/02/2013. (CLW)
12/18/2012	 1 pg, 45.08 KB	ECF FILER: ENTRY OF APPEARANCE from Nusrat Jahan Choudhury on behalf of Appellant(s) American Civil Liberties Union of New Jersey. (JL)
12/18/2012	 1 pg, 45.08 KB	ECF FILER: ENTRY OF APPEARANCE from Hina Shamsi on behalf of Appellant(s) American Civil Liberties Union of New Jersey. (JL)
01/16/2013	 1 pg, 14.1 KB	ECF FILER: ENTRY OF APPEARANCE from Matthew M. Collette on behalf of Appellee(s) Federal Bureau of Investigation, U.S. Department of Justice. (MMC)
01/17/2013	 1 pg, 45.19 KB	ECF FILER: ENTRY OF APPEARANCE from Catherine H. Dorsey on behalf of Appellee(s) Federal Bureau of Investigation, United States Department of Justice. (CHD)
01/18/2013	 3 pg, 144.58 KB	BRIEFING NOTICE ISSUED. Brief on behalf of Appellant American Civil Liberties Union of New Jersey due on or before 02/27/2013. Appendix due on or before 02/27/2013. (CLW)
02/11/2013	 3 pg, 17.8 KB	ECF FILER: UNOPPOSED Motion filed by Appellant American Civil Liberties Union of New Jersey for Extension of Time to file Plaintiff's opening brief and appendix until/for March 27, 2013. Certificate of Service dated 02/11/2013. (JL)
02/12/2013	 1 pg, 59.03 KB	ORDER (Clerk) Motion by Appellant for Extension of Time to File Brief and Appendix. The motion is granted. Appellant's brief and appendix must be filed and served on or before March 27, 2013. Counsel's attention is directed to the Court's October 15 2012 Notice of Counsel, advising that motions for extension of time to file briefs are disfavored, filed. (CLW)
03/27/2013	 67 pg, 171.5 KB	ECF FILER: ELECTRONIC BRIEF on behalf of Appellant American Civil Liberties Union of New Jersey, filed. Certificate of Service dated 03/27/2013 by ECF. (Brief contains parallel citations to the District Court Docket)-[Edited 03/28/2013 by EMA] (NJC)
03/28/2013		JOINT APPENDIX on behalf of Appellant American Civil Liberties Union of New Jersey, filed. Volumes: 3. Certificate of Service dated 03/27/2013 by US mail. [Brief contains DDE] (EAF)
04/01/2013		HARD COPY RECEIVED from Appellant American Civil Liberties Union of New Jersey - Brief. Copies: 10. (KEL)
04/26/2013	 68 pg, 386.52 KB	ECF FILER: ELECTRONIC BRIEF on behalf of Appellees FBI and DOJ, filed. Certificate of Service dated 04/26/2013 by ECF. (CHD)
04/29/2013		HARD COPY RECEIVED from Appellees FBI and DOJ - Brief. Copies: 10. (SJB)
04/29/2013		Appellant American Civil Liberties Union of New Jersey verbally granted an extension of time to file reply brief until 05/17/2013 pursuant to Third Cir. LAR 31.4. (CLW)
05/17/2013	 40 pg, 131.73 KB	ECF FILER: ELECTRONIC REPLY BRIEF on behalf of Appellant American Civil Liberties Union of New Jersey, filed. Certificate of Service dated 05/17/2013 by ECF. (NJC)
05/20/2013		HARD COPY RECEIVED from Appellant American Civil Liberties Union of New Jersey - Reply Brief. Copies: 7. (RM)
05/25/2013		ECF FILER: LETTER from Nusrat J. Choudhury, Esq. for Appellant American Civil Liberties Union of New Jersey, Jeanne LoCicero, Esq. for Appellant American Civil Liberties Union of New Jersey and Hina Shamsi, Esq. for Appellant American Civil Liberties Union of New Jersey. Counsel is unavailable for the following dates: 09/11/2013, 09/12/2013, (NJC)
05/29/2013	 2 pg, 34.09 KB	Calendared for Tuesday, 09/10/2013. (CMH)
08/23/2013	 1 pg, 31.28 KB	Oral Argument Notification for Tuesday, 09/10/2013. (CMH)
08/23/2013	 1 pg, 47.44 KB	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Catherine H. Dorsey, Esq. for Appellees FBI and DOJ. Certificate of Service dated 08/23/2013. (CHD)
08/23/2013	 23 pg, 146.58 KB	ECF FILER: Letter dated 08/23/2013, filed pursuant to Rule 28(j) from counsel for Appellees FBI and DOJ. This document will be SENT TO THE MERITS PANEL, if/when applicable. (CHD)
08/23/2013	 1 pg, 13.82 KB	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Jeanne LoCicero, Esq. for Appellant American Civil Liberties Union of New Jersey. Certificate of Service dated 08/23/2013. (JL)
08/27/2013	 20 pg, 751.65 KB	ECF FILER: Response filed by Appellant American Civil Liberties Union of New Jersey to Rule 28(j) letter. Certificate of Service dated 08/27/2013. This document will be SENT TO THE MERITS PANEL, if/when applicable. (NJC)

08/29/2013	 20 pg, 113.74 KB	ECF FILER: CORRECTED Letter dated 08/29/2013 , filed pursuant to Rule 28(j) from counsel for Appellees FBI and DOJ. This document will be SENT TO THE MERITS PANEL, if/when applicable. (CHD)
09/10/2013		ARGUED on Tuesday, September 10, 2013. Panel: SMITH, SLOVITER and ROTH, circuit Judges. Nusrat J. Choudhury arguing for Appellant American Civil Liberties Union of New Jersey; Catherine H. Dorsey arguing for Appellee Federal Bureau of Investigation. (PM)
09/10/2013		COURT RESPONSE REQUEST AT ORAL ARGUMENT. During oral argument the Court requested a Letter Brief to be filed within 10 days of oral argument on the issue of Patterson 895 F. 2nd 595 (3rd cir. 1990). (PM)
09/10/2013	 3 pg, 110.17 KB	CLERK'S LETTER to counsel written at the direction of the Court. At the direction of the court, counsel are hereby directed to file a transcript of oral argument by Tuesday, September 24, 2013 in the above entitled case. Liaison counsel should immediately advise the Clerk's Office of the Court Reporter or agency handling the Transcription of oral argument. The parties shall divide the cost of the preparation of the transcript. (Please see letter attached for full text) (PM)
09/12/2013	 1 pg, 26.53 KB	CLERK'S LETTER to counsel written at the direction of the Court. The directs that counsel submit within 7 days of the date of this letter by Thursday, September 19, 2013, a copy of the in camera, ex parte affidavit filed in the United States District Court for the District of New Jersey on February 10, 2012. (Please See the Attached Letter for Full Text of Letter.) (TLW)
09/20/2013	 4 pg, 48 KB	ECF FILER: Response filed by Appellees FBI and DOJ to Court request during oral argument on 09/10/13. Certificate of Service dated 09/20/2013. -[Edited 09/20/2013 by CMH] (CHD)
09/20/2013	 3 pg, 284.79 KB	ECF FILER: Response filed by Appellant American Civil Liberties Union of New Jersey to Court request during oral argument on 09/10/13. Certificate of Service dated 09/20/2013. -[Edited 09/23/2013 by CMH] (NJC)
09/23/2013	 46 pg, 108.69 KB	ECF FILER: Transcript of oral argument on 09/23/2013 prepared at the direction of the Court. (NJC)

